



Town of Fishkill
Planning Department
807 Route 52 - Fishkill, NY 12524-3110
Phone: (845) 831-7800 ext. 3329
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Procedures and Requirements Governing
Subdivision and Resubdivision Applications

Note:

All Applicants to the Planning Board must schedule an informational meeting with the Town Planning Department and/or the Town Building Inspector/Zoning Administrator **prior to** submitting an application.

The Planning Board meets regularly on the 2nd Thursday of each month. All applications for Subdivision and Resubdivision approval must be submitted in accordance with the current Town of Fishkill Planning Board Meeting Schedule.

APPLICATION REQUIREMENTS:

An application for Subdivision and Resubdivision approval must be made by submitting the following by U.S. mail or in person to the Town Planning Department.

1. One (1) original and seven (7) copies of the completed Subdivision & Resubdivision of Land Application. The form is available for download on the Town's website. Any request for waivers of required information must be included together with the reason for such request.
2. Seven (7) copies of the Subdivision Plat detailing the proposed subdivision or resubdivision. The drawings should be at a scale of 1" = 20' where possible and drawn on a map size of no larger than 24" x 48".
3. One (1) original and seven (7) copies of the completed Applicant Disclosure Form. The form is available for download on the Town's website.
4. One (1) original and seven (7) copies of the completed Environmental Assessment Form. The completion of a Full Environmental Assessment Form or a Short Environmental Assessment Form shall be the decision of the Town Planning Department and/or the Town Engineer. The forms are available for download on the Town's website.
5. One (1) compact disc containing copies in PDF Format of the completed Subdivision & Resubdivision of Land Application, Applicant Disclosure Form, Environmental Assessment Form, Subdivision Plat, Listing of all adjacent Property Owners' within 500' of the project site (listing shall include property owners' names, addresses and Tax Map Grid Nos.) and any other documentation being included as part of the application.
6. One (1) set of mailing labels for all adjacent property owners' within 500' of the project site. Mailing labels shall include property owners' names and addresses.
7. All required fees. An Application Fee and an Escrow Deposit must be submitted in accordance with the current Town of Fishkill Fee Schedule. The following pages of this document contain pages from the current Town Fee Schedule that pertain to Subdivision and Resubdivision Applications. A full copy of the Town's Fee schedule is available for download on the Town's website.

TOWN OF FISHKILL

FEE SCHEDULE



TOWN BOARD:

Town Supervisor:	Robert P. LaColla
Councilperson:	Douglas A. A. McHoul
Councilperson:	Kurt Buck
Councilperson:	Tony Curry
Interim Councilperson:	Brian Callahan

Adopted on: September 03, 2014

(The following pages are from the Town's Current Fee Schedule - for a full copy of the Town's Fee Schedule please visit the Town's website at www.fishkill-ny.gov)

SECTION I - BUILDING, CONSTRUCTION, PLANNING AND ZONING

H. LAND USE DEVELOPMENT PERMIT (Chapter 150) (continued)

Readoption of Approval Fee \$ 250.00

Applied in the event of the Project Sponsor's failure to perform required or expected actions to maintain the active status or progress of the proposed project. This fee shall not apply in the event that the project delays are beyond the control of the Project Sponsor as determined by the Planning Board.

****See Revision Fees on Page 11*****

Note 1:

For all Land Use Development Permit Applications see the "Escrow Funds" section of this document.

Note 2:

Fees for legal ads are to be paid by the Applicant.

Note 3:

All fees are non -refundable.

I. SUBDIVISION OF LAND (Chapter 132)

Filing for Application for Approval of Subdivision Plat:

1 - 4 lots	\$ 1500.00
5 - 10 lots	\$ 2500.00
11 – 15 lots	\$ 3,500.00
Each additional lot over 16	\$ 250.00 per new lot
Recreation Fee in Lieu of Land	\$ 5,000.00 per new lot
Recreation Fee (if approved on-site recreation area)	\$ 3,000.00 per new lot

Retroactive Approval Fee \$ 500.00

For Planning Board approval of project applications for work already commenced or completed prior to the issuance of a formal resolution of approval for Site Development Plan or Special Use Permit from the Planning Board (this fee is in addition to the above listed fees).

Readoption of Approval Fee \$250.00

Applied in event of the Project Sponsor's failure to perform required or expected actions to maintain the active status or progress of the proposed project. This fee shall not apply in the event that project delays are beyond the control of the Project Sponsor as determined by the Planning Board.

Adjustment of Recreation Fees Upon Reapproval

In the event of a reapproval by the Planning Board, upon the expiration of an earlier granted approval or reapproval, the applicant shall pay the differential if any between (a) the Recreation Fee prevailing at the time of the new reapproval, and (b) the Recreation Fee charged at the time of the preceding approval or reapproval. With respect to discretionary extension of approvals or reapprovals, there shall be no step-up of a previously charged Recreation Fee, unless such fees were erroneously computed and collected by the relevant agency or officer of the Town.

***** See Revision Fees as noted on Page 11 *****

Note 1:

For all Subdivision applications, please see the "Escrow Funds" section of this document.

SECTION I - BUILDING, CONSTRUCTION, PLANNING AND ZONING

I. SUBDIVISION OF LAND (Chapter 132) (continued)

Note 2:

Subdivision Inspection Fees (Section 132-18F)

To offset the costs incurred by the Town in conducting inspections, all applicants for approval of subdivisions involving the construction of streets and/or other improvements shall be required to submit an inspection fee, payable to the "Town of Fishkill", in an amount equal to one (1) dollar per linear foot of new road to be constructed as a condition of plan approval.

Note 3:

On-Site Water and Sewerage Systems (Section 132-18).

An additional inspection fee in an amount determined necessary by the Town Engineer, but not in excess of seven percent (7%) of the estimated cost of constructing the on-site water supply and sewerage systems serving the subdivision and including integral off-site portions of the systems necessary to connect to existing Town facilities shall be paid by the developer to the Town of Fishkill. Such fees shall be used to cover costs incurred by the Town in conducting inspections of such systems as they progress and upon completion.

Note 4:

Recreation (in all cases) will be established by the Town Board on the basis of the current Fee schedule rather than on the year of application.

Note 5:

Fees for legal ads are to be paid for by the applicant from the escrow account.

Note

All Fees are non-refundable.

J. REVISION FEES - DMUD, SITE PLAN, LAND USE DEVELOPMENT PERMIT, SPECIAL USE PERMIT & SUBDIVISION

All revisions to previously approved plans/plats which alter the Planning Board's Approval in a significant way as determined by the Town Planning Department or Town Engineer \$2,500.00

All revisions to previously approved plans/plats which alter the Planning Board's approval in a minor way as determined by the Town Planning Department or Town Engineer \$1,000.00

All items/plans which are only for discussion by the Planning Board (excluding revisions to previously approved plans or plats). \$ 100.00

SECTION V - ESCROW FUNDS

A. GENERAL

In order to ensure that the cost of any Engineering, SEQR Experts, Planning, Legal or other Consultation Fees incurred by the Town of Fishkill with respect to matters before the Planning Board or the Town Board are borne by the applicants. Escrow Funds will be submitted by the applicants. Upon filing an application for either Subdivision, Site Plan, Rezoning, or Special Use Permit, the applicant shall deposit with the Town Planner a sum of money in accordance with the table below. The Town Planner shall authorize payment of all fees charged by any professionals employed by the Planning Board or Town Board with respect to the applicant's project. Said fees shall be submitted by voucher and paid as approved by the Town Planner or Town Supervisor. The Town Planner shall refund to the applicant any funds remaining on deposit at the conclusion of the project. If the Escrow Fund is depleted to the amount found in Subparagraph "B" herein, prior to completion of the project reviews, the applicant shall reimburse the Escrow Fund as stated therein. If the applicant fails to reimburse the Escrow Fund, the Planning Board or the Town Board shall cease all reviews of the applicant's development. The

Town shall not schedule such an applicant for appearances before the Planning Board or the Town Board to discuss any application. This policy shall be strictly enforced by the appropriate Town officials. A Certificate of Occupancy shall not be issued unless all professional fees incurred by the applicant's project have been paid.

SECTION V - ESCROW FUNDS

B. CALCULATION OF ESCROW FUND

<u>Type of Application</u>	<u>Initial Deposit</u>	<u>Depleted to</u>	<u>Replenishment</u>
A. Pre-Planning Meeting	\$1,000.00		
B. Planning Board Discussion	\$150.00	(Applied at discretion of Planning Dept.)	
C. Minor (1-5 lots)	\$ 2,500.00	\$ 1,000.00	Current Bills + \$1,000.00
D. 6-15 lots	\$ 3,000.00	\$ 1,500.00	Current Bills + \$1,500.00
E. Over 15 lots	\$ 5,000.00	\$ 2,000.00	Current Bills + \$3,000.00
F. Lot line realignments	\$ 1,500.00	\$ 500.00	Current Bills + \$ 500.00
G. All residential plans	\$ 7,500.00	\$ 3,000.00	Current Bills + \$4,000.00
H. All other plans	\$ 7,500.00	\$ 3,000.00	Current Bills + \$4,000.00
I. Land Use Development Permits	\$1,500.00	\$ 500.00	Current Bills + \$1,000.00
J. Special Use Permits	\$ 7,500.00	\$ 3,000.00	Current Bills + \$4,000.00
K. Rezoning (w/o Planning Board)	\$ 10,000.00	\$ 2,500.00	Current Bills + \$2500.00
L. Rezoning (w/ Planning Board)	\$ 10,000.00	\$ 2,500.00	Current Bills + \$5000.00

Note: Amounts stated above may be increased as deemed appropriate by the Planning Board Administrator. Applicants seeking multiple approvals for a related Project may consolidate to a single escrow account by written request only. Escrow replenishment amounts will convert to the level of the greater escrow exposure rate.

C. REVISIONS

These Regulations may be revised by the Town Board of the Town of Fishkill by Resolution.

Fees are refundable when the Town Board deems that they should be refunded.